

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

United States of America,

Plaintiff,

vs.

Christian Newby,

Defendant.

Case No. 19-cr-20472

Honorable Avern Cohn

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**FIRST NOTICE REGARDING  
ADMINISTRATIVE FORFEITURE**

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On or about July 15, 2019, the United States filed a felony Information charging Defendant Christian Newby (“Defendant”) with Count One, Wire Fraud in violation of 18 U.S.C. § 1343; Count Two, Aggravated Identity Theft in violation of 18 U.S.C. § 1028A(a)(1); and Count Three, Unlawful User of Controlled Substances in Possession of Firearms and Ammunition in violation of 18 U.S.C. § 922(g)(3) (ECF No. 1).

The Information included a forfeiture allegation setting forth that upon conviction, Defendant shall forfeit to the United States, under 18 U.S.C. § 924(d), 18 U.S.C. § 981(a)(1)(C), and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the Defendant’s fraud scheme, and any firearms, unregistered firearms, ammunition, and destructive

devises involved in the commission of Defendant's offense, including any firearms, ammunition, or destructive devices seized from 236 E. Lewis Avenue, Milan, Michigan, 8651 Exeter Road, Carleton, Michigan, and 3901 Groveport Road, Unit C202, Obetz, Ohio in or about February 2019.

In or about April 2019, the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") initiated administrative forfeiture proceedings against the following property seized in connection with this action:

1. Kahr Arms-Auto Ordnance E9 Pistol CAL:9 SN:BC0202 (19-ATF-015059);
2. Keltec, CNC Industries, Inc. RDB Rifle CAL:556 SN:Z1Z52 (19-ATF-015066);
3. I O Inc. (Inter Ordnance) Sporter Rifle CAL:762 SN:F043699 (19-ATF-015067);
4. 8 Rounds Assorted Ammunition CAL:9 (19-ATF-015068);
5. 7 Rounds Winchester-Western Ammunition CAL:9 (19-ATF-015070);
6. 58 Rounds Assorted Ammunition CAL:380 (19-ATF-015071);
7. 76 Rounds Winchester-Western Ammunition CAL:9 (19-ATF-015073);
8. 180 Rounds Assorted Ammunition CAL:556 (19-ATF-015074);
9. 61 Rounds Assorted Ammunition CAL:556 (19-ATF-015075);

10. 243 Rounds Assorted Ammunition CAL:762 (19-ATF-015079);
11. 50 Rounds Assorted Ammunition CAL:9 (19-ATF-015080);
12. 190 Rounds Assorted Ammunition CAL:556 (19-ATF-015082);
13. 70 Rounds Assorted Ammunition CAL:762 (19-ATF-015084);
14. 50 Rounds Assorted Ammunition CAL:25 (19-ATF-015086);
15. .95 Pounds, Bulk, Dark Colored Suspected Explosive Powder Removed from Device 1 (19-ATF-015091);
16. .338 Pounds, Bulk, Dark Colored Suspected Explosive Powder Removed from Device 2 (19-ATF-015097);
17. .463 Pounds, Bulk, Dark Colored, Suspected Explosive Powder Removed from Device 3 (19-ATF-015098);
18. .238 Pounds, Bulk, Dark Colored, Suspected Explosive Powder Removed from Device 4 (19-ATF-015100);
19. .25 Pounds, Bulk, Dark Colored, Suspected Explosive Powder Removed from Device 5 (19-ATF-015101);
20. .325 Pounds, Bulk, Dark Colored, Suspected Explosive Powder Removed from Device 6 (19-ATF-015104);

21. .275 Pounds, Bulk, Dark Colored, Suspected Explosive Powder  
Removed from Device 7 (19-ATF-015105);
22. One (1) 12GA Shotgun Shell W/Load Removed and Replaced  
W/Suspected Explosive Mixture since Removed (Container for Device  
8) (19-ATF-015113);
23. .25 Pounds, Bulk, Dark Colored, suspected Explosive Powder Removed  
from Device 8 (19-ATF-015118);
24. .013 Pounds Propellant Removed from Device 9 (19-ATF-015119);
25. One (1) 12GA Shotgun Shell W/Load Removed and Replaced  
W/Suspected Explosive Mixture since Removed (Container for Device  
10) (19-ATF-015120);
26. .013 Pounds, Bulk, Dark Colored, Suspected explosive Powder  
Removed from Device 10 (19-ATF-015122);
27. One (1) Hobby Fuze and Rubber Balloon Type Container Initially Filled  
W/Suspected Explosive Mixture since Removed (Container for Device  
11) (19-ATF-015123);
28. .013 Pounds, Bulk, Dark Colored, Suspected Explosive Powder  
Removed from Device 11 (19-ATF-015124);
29. 1 Container Labeled "Sulfur Powder" (19-ATF-015125);

30. One (1) Small Ball Jar Labeled "2X Scrubby BP" and Containing a Fine Dark Powder (19-ATF-015126);
31. One (1) Small Ball Jar Containing a Whitish Powder (19-ATF-015127);
32. One (1) Large Ball Jar Containing a Dark Powder (19-ATF-015128);
33. One (1) Small Octagonal Jar Labeled "2X Charcoal, 80% Scrubby, 20% Grape" On Lid and Containing a Dark Powder (19-ATF-015129);
34. One (1) Small Ball Jar Containing a Dark Powder (19-ATF-015130);
35. One (1) Tumble Container Containing a Fine Dark Powder (19-ATF-015131);
36. One (1) Ziplock Bag Labeled "Fine Sift Grape" and Containing a Fine Dark Powder (19-ATF-015132);
37. One (1) Small Ball Jar Containing a Crunchy Whitish Powder (19-ATF-015134);
38. One (1) Small Jar Containing a Whitish/Greyish Powder (19-ATF-015135);
39. One (1) Small Ball Jar Containing a Dark Powder (19-ATF-015136);
40. One (1) Small Octagonal Jar Containing a Dark Powder (19-ATF-015137);

41. One (1) Large Ball Jar Labeled "Scrubby BP" and Containing a Dark Powder (19-ATF-015138);
42. One (1) Small Octagonal Jar Containing a Chunky Whitish Powder (19-ATF-015139);
43. One (1) Bag Containing a Whitish Powder Recovered from a Bowl on the Table in the Garage (19-ATF-015140);
44. One (1) Bag Containing a Dark Colored Powder (19-ATF-015141);
45. One (1) Bag Containing a White Cardboard Tube (Plugged on One End) and Containing a Small Amount of Dark Colored Powder (19-ATF-015143);
46. One (1) Bag Containing a Dark Colored Powder and Labeled "Hard Wood Blocks" (19-ATF-015146);
47. One (1) Bag Containing a Dark Colored Powder and Label Indicating the Presence of "Activated Coconut Charcoal" (19-ATF-015148);
48. One (1) Bag Containing a Dark Colored Powder and Labeled "Extra Cooked Sitka Milled" (19-ATF-015151);
49. One (1) Lipton Can Containing a Dark Colored Powder and Labeled Indicating the Presence of Coconut Shell Charcoal (19-ATF-015153);

50. 24 Rounds Assorted Ammunition CAL:762 (19-ATF-015155);
51. One (1) Bag of Fith OPS Black Iron Oxide (Binary Component of Thermite Mixture) (19-ATF-015364);
52. One (1) Bag of Fith OPS Aluminum Powder (Binary Component of Thermite Mixture) (19-ATF-015371);
53. One (1) Small Ball Jar Containing a Dark Greyish Powder (19-ATF-015376);
54. One (1) Container from Device 12 (19-ATF-015377);
55. 56.70 Grams, Bulk Dark Colored Suspected Explosive Powder Removed from Device 12 (19-ATF-015378);
56. One (1) Container from Device 13 (19-ATF-015381);
57. 164.43 Grams, Bulk Dark Colored Suspected Explosive Powder Removed from Device 13 (19-ATF-015382);
58. One (1) Container from Device 14 (19-ATF-015383);
59. 56.70 Grams, Bulk Dark Colored Suspected Explosive Powder Removed from Device 14 (19-ATF-015385);
60. One (1) Container from Device 15 (19-ATF-015386);

61. 56.70 Grams, Bulk Dark Colored Suspected Explosive Powder  
Removed from Device 15 (19-ATF-015387);
62. One (1) 12GA Shotgun Shell W/Load Removed and Replaced  
W/Suspected Explosive Mixture since Removed (Container for Device  
16) (19-ATF-015388);
63. 17.01 Grams, Bulk Light Colored Suspected Explosive Powder  
Removed from Device 16 (19-ATF-015389);
64. One (1) 12GA Shotgun Shell W/Load Removed and Replaced  
W/Suspected Explosive Mixture since Removed (Container for Device  
17) (19-ATF-015390);
65. 17.01 Grams, Bulk Mixed Colored Suspected Explosive Powder  
Removed from Device 17 (19-ATF-015391);
66. One (1) 12GA Shotgun Shell W/Load Removed and Replaced by Nails  
(Container for Device 18) (19-ATF-015392);
67. .013 Pounds Propellant Removed from Device 9 (19-ATF-015393);
68. One (1) Container for Device 19 (19-ATF-015394);
69. 68.0 Grams, Bulk Dark Colored Suspected Explosive Powder Removed  
from Device 19 (19-ATF-015395);



(collectively, the “Subject Property”). ATF approved administrative forfeiture of the Subject Property on or about July 11, 2019.

The United States provides notice to the Court and to Defendant that the United States will not seek a judicial forfeiture order for the Subject Property because it has already been forfeited administratively by ATF; therefore, judicial forfeiture of the Subject Property is not necessary.

Respectfully submitted,

MATTHEW SCHNEIDER  
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Dated: July 29, 2019

**CERTIFICATION OF SERVICE**

I hereby certify that on July 29, 2019, the foregoing was electronically filed with the Clerk of the Court using the ECF system, which will electronically serve all ECF participants.

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